



By Halimah Abdullah
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Ban was in violation of congressional funding act

WASHINGTON — The Department of Transportation backed down from a proposed ban on peanuts on commercial aircraft after Middle Georgia lawmakers pressed the agency on whether such a ban was legal.

The DOT acknowledged Tuesday that it had acted in violation of a 2000 congressional funding act that prohibited a ban on peanuts on commercial aircraft unless the agency completed a peer review scientific study of the impact of such a ban. While peanut allergy sufferers cheered the agency's proposal, Georgia peanut growers and lawmakers from peanut producing regions — such as Rep. Sanford Bishop, D-Albany and Rep. Jim Marshall, D-Macon — cried foul.

Both lawmakers contacted top ranking officials at the agency and pointed out the DOT could be in violation of the appropriations act by proceeding with the ban. Further, the lawmakers pointed out, the proposed ban did not cover items such as milk, wheat and pets.

The lawmakers felt the DOT was unfairly singling out peanuts. Georgia produces more peanuts than any other state.

“It would send a very, very negative signal. It would have financial repercussions, particularly for Delta and Southwest (airlines) which both serve peanuts,” Bishop said. “Peanuts are a Georgia product.”

Marshall said DOT attorneys advised the agency to revise its plans on the proposed ban after realizing “they’d overlooked” the 2000 law.

DOT Secretary Ray LaHood informed lawmakers of the agency’s decision Tuesday.

“You will be pleased to know that the Department is issuing a clarification today to the proposed notice that explicitly states that the Department will comply with Section 346 of the Department of Transportation and Related Agencies Appropriations Act of 2000, Pub. L. No. 106-69,” LaHood wrote in a letter to lawmakers. “As you know, Section 346 states that no carrier will be required to provide a peanut-restricted area until 90 days after submission to both the Congress and the Secretary of a peer-reviewed scientific study that determines there are severe reactions by passengers.”

DOT officials said the agency will continue to collect public comments on the issue, but has no firm plans on proceeding further.

Bishop called the reversal “great news for all peanut producers, especially those in Georgia.”